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J. May

Docket No.: 21407 US (C038435/0185010)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tatsuo HOSHINO *et al.*

Serial No.: 10/528,872

Filed: September 29, 2005

For: **SQS GENE**

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Examiner: I. H. Chowdhury

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Art Unit: 1652

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New York, New York
May 24, 2006

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed May 8, 2005, which set a one-month shortened statutory period for response. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before June 8, 2006. 37 CFR §§ 1.7 and 1.8. No fee is believed to be due. If it is determined that a fee is due, please charge such fee to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

On page 2 of the Office Action, the Examiner issued a five-way restriction requirement pursuant to 35 USC §§ 121 and 372. The restriction divided the claims into the following allegedly distinct inventions: Group I (claims 1-11) "drawn to isolated

polynucleotide encoding squalene synthase, vector, host cell and process for producing squalene synthase;" Group II (claim 12) "drawn to an isolated polypeptide squalene synthase;" Group III (claim 13) "drawn to an antibody of squalene synthase;" Group IV (claims 14-22) "drawn to isolated antisense polynucleotide of squalene synthase, vector, and recombinant host cell;" and Group V (claims 23-26) "drawn to a process for producing carotenoid." (Paper No. 05012006 at 2).

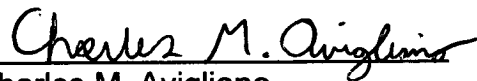
In accordance with restriction practice, the subject matter of claims 14-22 (Group IV) is hereby elected for prosecution with traverse.

If the Examiner has any questions regarding this paper, please contact the undersigned attorney.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on May 24, 2006.


Charles M. Avigliano, Reg. No. 52,578

Respectfully submitted,

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